

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BILLY TYLER,)	
)	
Plaintiff,)	8:10CV51
)	
v.)	
)	
OMAHA IMPOUND LOT, VIOLATIONS)	ORDER
BUREAU, and JOHN DOE, Unknown)	
Police of Omaha,)	
)	
Defendants.)	
_____)	

This matter is before the Court on plaintiff's motion for leave to proceed in forma pauperis ("IFP") on appeal (Filing No. [12](#)). On May 18, 2010, the court dismissed plaintiff's claims and entered judgment against him (Filing Nos. [7](#) and [8](#)). On June 7, 2010, plaintiff filed a timely notice of appeal of the judgment (Filing No. [11](#)). Plaintiff has previously been granted leave to proceed IFP in this matter (Filing No. [5](#)).

As set forth in [Federal Rule of Appellate Procedure 24\(a\) \(3\)](#):

(a) Leave to Proceed in Forma Pauperis

(3) Prior Approval. A party who was permitted to proceed in forma pauperis in the district-court action, or who was determined to be financially unable to obtain an adequate defense in a criminal case, may proceed on appeal in forma pauperis without further authorization, unless the district court -- before or after the notice of appeal is filed -- certifies

that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis. In that event, the district court must state in writing its reasons for the certification or finding.

The Court finds that because plaintiff proceeded IFP in the district court, he may now "proceed on appeal in forma pauperis without further authorization."

IT IS ORDERED:

1. Plaintiff's motion for leave to proceed in forma pauperis on appeal is granted.

2. The clerk of the court shall process the appeal and shall provide the Court of Appeals with a copy of this order.

DATED this 16th day of June, 2010.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court

* This opinion may contain hyperlinks to other documents or Web sites. The U.S. District Court for the District of Nebraska does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the Court has no agreements with any of these third parties or their Web sites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.